IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2429 OF 2005

EXIM RAJATHI INDIA PVT. LTD. & ANR. PETITIONERS

Vs.

UNION OF INDIA & ORS. .. .. RESPONDENTS

Mr. V.Kantawala i/b M/s. Apex Law Partners for petitioners

Mr. K. R. Chaudhari for R

CORAM:-SMT. RANJANA DESAI &

A. S. OKA, JJ.

DATED:-1/12/2005

P.C.

. Impugned order dated 6/10/05 passed by the Deputy Director (PP), (Govt. of India, Regional Plant Quarantine Station, Mumbai, under the Plant Quarantine (Regulation of Import into India) Order, 2003 is appealable under clause 12 of the said order.

2. The learned counsel for the petitioner seeks permission to withdraw the petition with liberty to prefer an appeal.

2. Petition is allowed to be withdrawn with liberty to prefer an appeal before the appellate authority. The learned counsel for the petitioners states that the appeal will be preferred within a period of ten days from today. If such an appeal is preferred the appellate authority shall decide it in accordance with law within three weeks from the date of its receipt. If an application for retest is made, it will be considered in accordance with law. The appeal be decided on merits.

3. All contentions of the parties are kept open.

(SMT. RANJANA DESAI,J.)

(A. S. OKA, J.)